

HIGH COURT OF UTTARANCHAL AT NAINITAL

ORIGINAL JURISDICTION

Dated Nainital the 9th March, 2006

IInd Bail Application No. 144 of 2006

Order on the bail application of the accused.

CRIMINAL SIDE

Mahendra
S/o Late Paltu Singh
R/o House No. 879,
Type-II, Sector-3, B.H.E.L.
Police Station – Ranipur,
District – Haridwar

.....Applicant

Versus

State of Uttaranchal

.....Opposite Party

In Case Crime No. 99 of 2005
U/s 498-A, 304-B & 3/4 Dowry Prohibition Act
Police Station – Ranipur
District – Haridwar

Hon'ble J.C.S. Rawat, J.

Heard Sri Navneet Kaushik-learned counsel for the applicant, learned AGA for the State and perused the record.

It was contended on behalf of the applicant that the letter which is alleged to be suicidal note has been sent for the comparison to the expert. Now the report is available and it has been reported that the handwriting could not be ascertained for the non-availability of the sufficient number of handwritings. It was also contended that there is none to do the effective pervi of the accused. The learned A.G.A. refuted the contention. It has been observed by the hand writing expert that the handwriting could not be compared due to the paucity of the signature or handwriting of the deceased. It will not help the applicant-accused in this regard. It was alleged that the accused was present on duty on the date of incident and that is the matter of evidence. The wife of the applicant-accused is outside the jail and the offence committed by the accused-applicant is heinous one and on that count the accused cannot be enlarged on bail.

Accordingly, the IInd bail application is rejected.

(J.C.S. Rawat, J.)

Dated 09.03.2006
Shiv